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NEWS RELEASE

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Appeal Court Holds Special Outreach Session at Bay Area High School

San Francisco— Several hundred high school students from San Mateo County will hear oral arguments before the Court of Appeal, First Appellate District, Division Five, at 9:00 a.m. on October 30, 2007, Presiding Justice Barbara J.R. Jones announced today.

The public is invited to attend this special session to be held at Westmoor High School, 131 Westmoor Avenue, Daly City.

The school visit is designed to introduce students to the Court of Appeal and to increase public understanding of the courts. Case summaries, prepared by attorneys from the San Mateo County Bar Association, will be distributed before oral argument.

As part of this educational experience, volunteer attorneys will visit classrooms and join teachers in discussing the appellate process. The justices will attend a breakfast with students before the hearing, and after argument, the attorneys will answer student questions.

The program arrangements are a collaborative effort of Presiding Justice Jones, Associate Justice Mark Simons, Associate Justice Linda Marino Gemello, and Associate Justice Henry Needham in coordination with Westmoor Principal Richard Morosi, Jefferson Union High School Superintendent Michael Crilly, San Mateo County Bar Association President-Elect Jeffrey Boyarsky, and Deputy County Counsel Tim Fox and David Silberman.

CASES TO BE ARGUED

People v. Hua, A116578. This case presents a challenge to a trial court order denying the appellant's motion to suppress evidence. (Pen. Code, § 1538.5, subd. m.) Issues on appeal include whether the police officers' warrantless entry into the appellant's apartment was justified by exigent

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circumstances, and whether the officers' protective sweep of the apartment was justified by reasonable suspicion.

Sigman v. Mariano, A115132. This case involves a claim of adverse possession that arose when plaintiffs discovered a portion of their home encroaches on defendant's adjacent property. Under Code of Civil Procedure section 325, a party claiming title to real property through adverse possession must establish the payment of taxes on the disputed land for a five-year period. At issue is whether the payment of property taxes on an encroaching structure will satisfy the requirement that taxes be paid on the land for which adverse possession is claimed.

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